

By: Hon. James C. Turk
Senior United States District Judge

³The court has the discretion to appoint counsel in a § 2254 action only upon finding that “the interests of justice so require.” See Criminal Justice Act, 18 U.S.C. § 3006A(a)(2)(B). As the court finds that this petition was not timely filed, the court cannot find that the interests of justice require appointment of counsel.